Elhady Plaintiffs
MSJ Exhibit 57

Terrorist Screening Center
Frequently Asked Questions

What is the Terrorist Screening Center?

Following the attacks of September 11, 2001, the President and Congress mandated that federal executive departments and agencies share terrorism information with those in the counterterrorism community responsible for protecting the homeland. In 2003, the Terrorist Screening Center (TSC) was created to fulfill that mandate.

The TSC is a multi-agency center administered by the Federal Bureau of Investigation and is the U.S. Government's consolidated counterterrorism watchlisting component responsible for the management and operation of the Terrorist Screening Database, commonly known as "the watchlist."

Why was the Terrorist Screening Center created?

The 9/11 Commission Report found that agencies did not share counterterrorism information in an effective and timely manner. However, through the Terrorist Screening Database, the Terrorist Screening Center ensures the timely dissemination of terrorist identity information to screening partners such as the Department of State, the Department of Homeland Security, and federal, state, and local law enforcement to provide for the appropriate and lawful use of terrorism-related information.

What is the Terrorist Screening Database?

The Terrorist Screening Database, commonly referred to as "the watchlist," is the U.S. Government's consolidated database containing sensitive law enforcement and national security information concerning the identity information of those who are known to be or reasonably suspected of being involved in terrorist activities. The Terrorist Screening Center serves as a bridge between homeland security, law enforcement, the intelligence community, and select international partners for the purpose of sharing, as appropriate, terrorism-related information.

What is the difference between the Terrorist Screening Center and the National Counterterrorism Center?

The Terrorist Screening Center (TSC) is responsible for maintaining and operating the Terrorist Screening Database (TSDB) and is the primary U.S. Government component for the watchlisting, screening, encounter management, and information sharing of known or suspected terrorist information. The TSC is also responsible for sharing information from the TSDB with homeland security, law enforcement, the intelligence community, and select international partners. The National Counterterrorism Center (NCTC) maintains the Terrorist Identities Datamart Environment (TIDE), which is the U.S. Government's classified central and shared repository for all information pertaining to international known or suspected terrorists. The TSC and NCTC work in close coordination to ensure appropriate information from TIDE is provided to the TSC for inclusion in the TSDB.

1

Terrorist Screening Center
Frequently Asked Questions

How are individuals added to the Terrorist Screening Database?

The procedures for submitting terrorist identity information for inclusion in the Terrorist Screening Database (TSDB) are known as the watchlist nomination process. U.S. Government agencies nominate individuals who may qualify for inclusion as a known or suspected terrorist based on credible intelligence developed by homeland security, law enforcement, the intelligence community, as well as U.S. Embassies or Consulates. The nominations are submitted to the National Counterterrorism Center, which determines if the information is credible and if there is sufficient identifying information. If so, the nomination is entered into the Terrorist Identities Datamart Environment and the identity information is passed to the Terrorist Screening Center (TSC). The TSC then conducts another review of the nomination and the relevant intelligence to verify the information before accepting the record into the TSDB.

What is done to ensure the accuracy of the Terrorist Screening Database?

A range of quality control measures are used to ensure that the Terrorist Screening Database (TSDB) contains information that is current, accurate, and thorough. This includes regular reviews and post-encounter quality assurance conducted by the nominating agencies, the National Counterterrorism Center, and the Terrorist Screening Center to ensure the information continues to satisfy the applicable criteria for inclusion in the TSDB. The TSDB is updated daily with additions, modifications, and removals.

Which U.S. Government agencies have access to the Terrorist Screening Database?

Agencies and officials who are authorized to conduct terrorist screening in the course of their official duties have access to the information contained in the Terrorist Screening Database (TSDB) to support diplomatic, military, intelligence, law enforcement, immigration, visa, and protective processes. The five major U.S. Government agencies that screen with information from the TSDB are: the Department of State Bureau of Consular Affairs for passport and visa screening, the Transportation Security Administration for aviation security screening, the FBI's National Crime Information Center for domestic law enforcement screening, the U.S. Customs and Border Protection for border and port of entry screening, and the Department of Defense for military base access screening. All screening functions are subject to U.S. laws and regulations regarding privacy and civil liberties protections.

What is the No Fly List?

The No Fly List is a subset of the Terrorist Screening Database. Inclusion on the No Fly List prohibits an individual who may present a threat to civil aviation or national security from boarding a commercial aircraft that traverses U.S. airspace. Before the Terrorist Screening Center places an individual on the No Fly List, there must be credible information demonstrating that the individual presents a threat of committing an act of terrorism with respect to an aircraft, the homeland, U.S. facilities or interests abroad, or is a threat of engaging in or conducting a violent act of terrorism and is operationally capable of doing so.

2

Terrorist Screening Center
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What is a known or suspected terrorist?

A "known terrorist" is an individual who has been (a) arrested, charged by information, indicted for, or convicted of a crime related to terrorism and/or terrorist activities by U.S. Government or foreign government authorities; or (b) identified as a terrorist or a member of a terrorist organization pursuant to statute, Executive Order, or international legal obligation pursuant to a United Nations Security Council Resolution.

A "suspected terrorist" is an individual who is reasonably suspected to be engaging in, has engaged in, or intends to engage in conduct constituting, in preparation for, in aid of, or related to terrorism and/or terrorist activities.

What is an encounter?

An encounter is an event where an individual is identified during a screening process as someone who is a potential match to an identity in the Terrorist Screening Database. For example, an encounter may occur when an individual attempts to board an aircraft, apply for a passport or visa, enter an U.S. port of entry, or has an interaction with law enforcement.

How are privacy and civil liberties safeguarded?

Nominations to the Terrorist Screening Database (TSDB) are not accepted if they are based solely on race, ethnicity, national origin, religious affiliation, or First Amendment-protected activities, such as free speech, the exercise of religion, freedom of the press, freedom of peaceful assembly, or petitioning the government for redress of grievances.

The Terrorist Screening Center regularly conducts comprehensive and case-specific quality assurance reviews of data in the TSDB to ensure the U.S. Government's substantive criteria for watchlisting is met and to ensure the records maintained in the watchlist are current, accurate, and thorough.

If an individual has an adverse experience while traveling or wants to contest their possible inclusion in the watchlist, how can they seek resolution?

The Department of Homeland Security (DHS) has established the Traveler Redress Inquiry Program (DHS TRIP) (www.dhs.gov/trip) to provide a single point of contact for individuals who have inquiries or seek resolution regarding their alleged U.S. Government watchlist status. DHS TRIP allows travelers to submit a redress inquiry in a single request via a secure website, and is the vehicle through which individuals may seek redress for travel difficulties they perceive to be the result of their inclusion in the Terrorist Screening Database.

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